



STATE OF MICHIGAN  
TERRI LYNN LAND, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

**M E M O R A N D U M**

**DATE:** October 11, 2007

**TO:** Independent, Political and Caucus Committees Registered on State Level

**FROM:** Michigan Department of State, Bureau of Elections

**SUBJECT: UPCOMING FILING REQUIREMENTS**

- **The careful review of this memo is recommended to ensure that you are aware of the filings required of your committee.**
- **All Independent, Political and Caucus Committees registered on the state level that do not maintain a Reporting Waiver are required to file the October Campaign Statement due on October 25, 2007.**
- **An Independent, Political or Caucus Committee registered on the state level that received or expended \$20,000. 00 or more in the previous or current calendar year or expects to receive \$20,000.00 or more in the next calendar year is required to file electronically. Committees may apply for MERTS Plus software on line at the MERTS Plus web site: [www.mertsplus.com](http://www.mertsplus.com) .**
- **Independent, Political and Caucus Committees that are required to file Campaign Statements electronically must also file Late Contribution Reports and 24-Hour Reports electronically. (24-Hour Reports are required of Caucus Committees only.)**

**October Campaign Statement**

All Independent, Political or Caucus Committees registered on the state level that do not maintain a Reporting Waiver are required to file the October Campaign Statement due on October 25, 2007. The Campaign Statement is required even if the committee has no transactions to report for the period covered by the Campaign Statement.

The October Campaign Statement is not required of an Independent, Political or Caucus Committee registered on the state level that maintains a Reporting Waiver. Note that a Reporting Waiver maintained by an Independent or Political Committee is lost if the committee receives or spends more than \$1,000.00 during the course of the year, has an account balance over \$1,000.00 or has over \$1,000.00 in debts.

### **Coverage Dates of Statement**

The October Campaign Statement due on October 25, 2007 opens on the day after the "closing date" of the last Campaign Statement filed by the committee. If the committee has never filed a Campaign Statement, the October 25 Campaign Statement opens on the earlier of the following two dates: 1) the committee's formation date or 2) the date the committee accepted its first contribution or made its first expenditure.

The October 25, 2007 Campaign Statement closes on October 20, 2007.

### **Forms; Number of Copies Required**

Forms for filing the October Campaign Statement are available on our website at [www.michigan.gov/sos](http://www.michigan.gov/sos). The forms can also be obtained by contacting the Michigan Department of State's Bureau of Elections. Phone: (517) 373-2540.

When filing, one original copy of the October 25 Campaign Statement is required. A duplicate copy is not needed.

### **File on Time!**

If the committee raised **\$10,000.00 or less** during the previous 2 years, a \$25.00 late filing fee will be assessed each business day the Campaign Statement remains unfiled up to \$500.00. If the committee raised **more than \$10,000.00** during the previous 2 years, the maximum fee which can be assessed is increased to \$1,000.00.

- Electronic filings, sent via the Internet, must be transmitted and received by the Bureau of Elections by 5:00 p.m. on October 25, 2007.
- A Campaign Statement submitted by a committee required to file electronically will not be accepted unless filed by removable media or over the Internet.
- An October 25 Campaign Statement that is hand-delivered or sent by first class mail must reach this office before 5:00 p.m. on Thursday, October 25, 2007. Be sure to allow ample mailing time if sending first class.
- An October 25 Campaign Statement submitted on paper or removable media that is mailed by registered mail, certified mail or an overnight delivery service and postmarked on or before October 23, 2007 will be accepted as timely regardless of when it arrives.
- Be sure to fill out all forms as accurately as possible. Notices will be sent to the committee if forms are left off, figures are wrong, addresses are incorrect, etc. The committee is then required to file an amendment to correct the error.

## **Statement Of Organization Amendments Required With Campaign Statement**

A committee registered under Michigan's Campaign Finance Act is required to amend its Statement of Organization if any information presented on the form changes. Required amendments to the form must be filed no later than the due date of the next upcoming Campaign Statement required of the committee. Therefore, if your committee is required to file the October 25 Campaign Statement, we urge you to review your committee's Statement of Organization before you file the Campaign Statement. The Statement of Organization can be reviewed on our website at [www.michigan.gov/sos](http://www.michigan.gov/sos). If any information on the Statement of Organization has changed, be sure to file an appropriate amendment to the form no later than October 25, 2007. An amended Statement of Organization cannot be filed electronically.

If a committee has a Reporting Waiver and is not required to file Campaign Statements, amendments to the Statement of Organization may be filed anytime information on the form changes.

## **Late Contribution Reports and 24-Hour Reports: Electronic Filing**

The Immediate Disclosure Reporting or "e-IDR" program allows committees registered with the Department of State to file Late Contribution Reports, Special Election Independent Expenditure Reports and 24-Hour Reports (Caucus Committees only) electronically.

All committees are encouraged to use the e-IDR program, however, committees that are required to file electronically because they have exceeded the \$20,000.00 threshold must file Late Contribution Reports, Special Election Independent Expenditure Reports and 24-Hour Reports (Caucus Committees only) using e-IDR. Paper, email or fax copies no longer meet the filing requirements of the Michigan Campaign Finance Act; late filing fees may be assessed against reports that must be filed electronically that are not filed using e-IDR.

To file using e-IDR, go to [www.Michigan.gov/sos](http://www.Michigan.gov/sos) and click the following: "Elections in Michigan," "Campaign Finance Disclosure," "E- Filing" and then "Immediate Disclosure Reports (e-IDR)." Please bookmark this page for easy access the next time you need to use e-IDR to submit a filing.

## **Late Contribution Reports**

An Independent, Political or Caucus Committee registered on the state level must report all "late contributions." A late contribution is any single contribution of \$200.00 or more received by the committee between the 15th and 3rd day before the date of any "election" in which the committee participates. The term "election" is used to mean a primary, general, special, recall or millage election held in Michigan or a convention or caucus held by a political party in Michigan to nominate candidates.

- A Late Contribution Report must be received by this office within 48 hours after the committee's receipt of the contribution. A Late Contribution Report must contain the date and amount of the contribution along with the contributor's name, street address, occupation, employer and principal place of business. The report may be made in a telegram, fax or by any other means of written communication unless required to be filed electronically. A Late Contribution Report need not contain an original signature. In

addition to this report, the late contribution must be disclosed on the next Campaign Statement filed by the committee.

- A form for filing a Late Contribution Report is available on our website: [www.Michigan.gov/sos](http://www.Michigan.gov/sos).
- Committees that are required to file electronically because they have exceeded the \$20,000.00 threshold must file Late Contribution Reports using e-IDR. (Instructions for accessing the e-IDR system are provided above.)
- Late Contribution Reports are not waived by a Reporting Waiver. However, committees with a Reporting Waiver are not required to show late contributions on a Campaign Statement.
- A committee, treasurer or designated record keeper who fails to report a late contribution required under Michigan's Campaign Finance Act is responsible for the payment of any assessed late filing fees. The maximum late filing fee which can be assessed is \$2,000.00.

### **24-Hour Reports (Filed By Caucus Committees Only)**

Caucus Committees are also required to file daily reports, from the 14<sup>th</sup> day preceding a primary, general election or special election to the day after the primary, general election or special election, if the committee receives a contribution or makes an expenditure of more than \$1,000.00. Similar to a "late contribution report," a 24-Hour Report must fully disclose the contribution or expenditure, may be made in a telegram, fax or by any other means of written communication (unless required to be filed electronically) and need not contain an original signature.

- A required 24-Hour Report is due no later than 4:00 p.m. on the first business day following the date the contribution in excess of \$1,000.00 is received or the expenditure in excess of \$1,000.00 is made. The 24-Hour Report closes on the day the contribution is received or the expenditure is made.
- Committees that must file electronically because they have exceeded the \$20,000.00 threshold must file required 24-Hour Reports using e-IDR. (Instructions for accessing the e-IDR system are provided above.)
- If the committee raised \$10,000.00 or less during the previous 2 years, a \$25.00 late filing fee will be assessed each business day a required 24-Hour report remains unfiled up to \$500.00. If the committee raised more than \$10,000.00 during the previous 2 years, the maximum fee which can be assessed is increased to \$1,000.00.

### **Identification Requirements**

The Michigan Campaign Finance Act requires PAC's, Ballot Question Committees and Political Party Committees to include an identifying statement on printed matter and in paid radio or television advertisements. The following wording complies with the requirements provided under the Act: "Paid for with regulated funds by (name and address of committee)."

## **MERTS Plus Software For Independent, Political and Caucus Committees**

The following reminders are offered for Independent, Political and Caucus Committees using MERTS Plus software to electronically file Campaign Statements. **Questions concerning use of the software should be directed to MERTS Plus Tech Support at: (703) 749-4642 or sent by e-mail to mertstechsupport@nicusa.com.**

- **Election Cycles** – Make sure the correct election cycle(s) are entered into the Election Cycles Window. An election cycle begins on the day after the last general election and ends on the day of the next general election in which the candidate or ballot issue being supported or opposed appears. (Section 1.4 of the MERTS Plus Training Manual).
- **Campaigns** – Make sure up to date campaign(s) are created in the Campaigns Window for each candidate or issue supported or opposed by the committee. For expenditures made after the November 7, 2006 general election to support or oppose candidates or issues, a new campaign must be created for each candidate or ballot issue (Section 1.5 of the MERTS Plus Training Manual).
- **Reporting Periods** – A separate report record (with correct coverage period dates) must be created in the Reports Window for each Campaign Statement that will be submitted by the committee electronically (Section 1.6 of the MERTS Plus Training Manual).
- **Amendments to Campaign Statements** – An amended Campaign Statement cannot be filed electronically until an original Campaign Statement has been filed electronically. If more than one amendment to a Statement has been created, each amendment must be electronically submitted in the order it was created.

## **Obtaining The MERTS Plus Software**

State level committees wishing to obtain the MERTS Plus software may apply on-line at the MERTS Plus web site ([www.mertsplus.com](http://www.mertsplus.com)). Both on-site and on-line software training options are available. Access to the software is provided to committees that have completed the training session.

## **Questions?**

If you have any questions, please do not hesitate to contact this office.

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